SENATE JOURNAL

ALASKA STATE LEGISLATURE

TWENTY-FIFTH LEGISLATURE

FIRST SESSION

Juneau, Alaska

Friday

March 30, 2007

Seventy-fourth Day

Pursuant to adjournment the Senate was called to order by President Green at 10:05 a.m.

The roll showed seventeen members present. Senators Hoffman, Therriault were excused from a call of the Senate. Senator Olson was absent.

The prayer was offered by the Chaplain, Pastor Scott Williamson of Glacier Valley Baptist Church. Senator Wilken moved and asked unanimous consent that the prayer be spread. Without objection, it was so ordered.

Our Father, you have revealed yourself as a God who loves justice, righteousness, and mercy. I pray for these men and women who are coming to the end of a busy week; thank you for their labor, their dedication, and their concern for their state.

Assist them to make decisions that are both just and fair to the people of Alaska. Guide them to uphold the highest ethical standards as they carry out their work. May there be no whisper of impropriety amongst them as they do their work.

I pray that this weekend will bring them an opportunity for rest. Refresh them physically, mentally, and spiritually.

Thank you for your abiding presence and for your watch care over our state and our nation.

I pray this in the name of Jesus Christ, who lives forevermore.

Amen.

Senator Huggins led the Senate in the Pledge of Allegiance.

Certification

Senator Stevens moved and asked unanimous consent that the journals for the seventy-second and seventy-third legislative days, Senate Journal Supplement No. 1 and Senate and House Joint Journal Supplement No. 5 be approved as certified by the Assistant Senate Secretary. Without objection, it was so ordered.

Messages from the Governor

HB 18

Message was read stating the Governor signed the following bill on March 28 and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

SENATE CS FOR CS FOR HOUSE BILL NO. 18(FIN) "An Act amending the functions and powers of the Alaska Commission on Postsecondary Education; and relating to the repayment provisions for medical education and postsecondary degree program participants."

Chapter 5, SLA 2007 Effective Date: 6/26/07

HJR8

Message dated March 28 was read stating the Governor read the following resolution and transmitted the engrossed and enrolled copies to the Lieutenant Governor's Office for permanent filing:

CS FOR HOUSE JOINT RESOLUTION NO. 8(L&C) am Opposing the enactment by the Washington State Legislature of a bill proposing to impose a fee on the processing of shipping containers in the State of Washington because of the negative impact of the fee on the people and the economy of this state.

Legislative Resolve No. 1

Messages from the House

Message dated March 29 was read, stating the House passed and transmitted for consideration:

First Reading and Reference of House Bills

HB 48

CS FOR HOUSE BILL NO. 48(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act amending the powers of the board of trustees of the Alaska Retirement Management Board to authorize purchase and sale of transferable tax credit certificates issued in conjunction with the production tax on oil and gas; relating to transferable tax credit certificates issued under the oil and gas production tax; and providing for an effective date."

was read the first time and referred to the Finance Committee.

HB 125

CS FOR HOUSE BILL NO. 125(FIN) BY THE HOUSE FINANCE COMMITTEE, entitled:

"An Act relating to budget planning and a fiscal plan for the State of Alaska."

was read the first time and referred to the Finance Committee.

Standing Committee Reports

Report dated March 29 was read, stating:

In accordance with AS 39.05.080, the State Affairs Committee reviewed the following and recommends the appointment be forwarded to a joint session for consideration:

Alaska Public Offices Commission

Elizabeth Johnston Hickerson

This does not reflect an intent by any of the members to vote for or against the confirmation of the individual during any further sessions.

Signing the report: Senator McGuire, Chair; Senators Stevens, French, Green, Bunde.

SB 100

The State Affairs Committee considered SENATE BILL NO. 100 "An Act relating to substance abuse and mental health disorder prevention and treatment programs; and relating to long-term secure treatment programs for persons with substance abuse or co-occurring substance abuse and mental health disorders" and recommended it be replaced with

CS FOR SENATE BILL NO. 100(STA)

Signing no recommendation: Senator McGuire, Chair; Senators Stevens, Green. Signing do pass: Senator French. Signing do not pass: Senator Bunde.

The following previously published fiscal information applies: Fiscal Note No. 1, Department of Health and Social Services Fiscal Note No. 2, indeterminate, Department of Health and Social Services

The bill was referred to the Finance Committee.

SB 101

The State Affairs Committee considered SENATE BILL NO. 101 "An Act relating to private professional conservators and private and public guardians" and recommended it be replaced with

CS FOR SENATE BILL NO. 101(STA)

Signing do pass: Senator McGuire, Chair; Senators Green, Bunde. Signing no recommendation: Senators French, Stevens.

The following previously published fiscal information applies:
Fiscal Note No. 1, zero, Department of Commerce, Community
and Economic Development
Fiscal Note No. 2, zero, Department of Administration

The bill was referred to the Finance Committee.

SB 123

The Finance Committee considered SENATE BILL NO. 123 "An Act relating to the public employees' and teachers' defined benefit retirement plans; relating to the public employees' and teachers' defined contribution retirement plans; relating to the judicial retirement system; relating to the health reimbursement arrangement plan for certain teachers and public employees; relating to the supplemental employee benefit program; relating to the public employees' deferred compensation program; relating to group insurance for public employees and retirees; making conforming amendments; and providing for an effective date" and recommended it be replaced with

CS FOR SENATE BILL NO. 123(FIN)

Signing do pass: Senators Hoffman, Stedman, Cochairs; Senators Thomas, Dyson, Huggins. Signing no recommendation: Senators Elton, Olson.

The following fiscal information was published today: Fiscal Note No. 2, zero, Department of Administration

The following previously published fiscal information applies: Fiscal Note No. 1, zero, Department of Administration

The bill was referred to the Rules Committee.

HB 126

The Transportation Committee considered CS FOR HOUSE BILL NO. 126(JUD)(title am) "An Act relating to access to criminal justice information for certain employees of the Department of Administration; relating to the procedure for changes to certificates, registration, titles, licenses, permits, and other forms relating to driving and motor vehicles; relating to requirements for, cancellations of, renewals of, reinstatements of, expirations of, disqualifications of, withdrawals of, suspensions or revocations of, and exemptions from commercial and other driver's licenses, permits, or privileges to drive; relating to records concerning motor vehicles and their drivers; relating to penalties for violating commercial driver licensing requirements; relating to the driver's license compact; and providing for an effective date." Signing do pass: Senator Kookesh, Chair; Senators Wilken, Cowdery. Signing no recommendation: Senator Wielechowski.

The following previously published fiscal information applies: Fiscal Note No. 1, zero, Department of Administration Fiscal Note No. 3, zero, Department of Transportation and Public Facilities

The bill was referred to the Rules Committee.

Introduction and Reference of Senate Resolutions

SCR 5

SENATE CONCURRENT RESOLUTION NO. 5 BY SENATORS STEVENS, Davis,

Relating to civics education and a citizens' advisory task force.

was read the first time and referred to the Senate Special Committee on Education and the Finance Committee.

SR 6

SENATE RESOLUTION NO. 6 BY SENATORS THERRIAULT, Green, Wagoner, Dyson, Wilken, Bunde, Stevens, McGuire, Huggins, Stedman, Cowdery,

Encouraging all states to oppose the decision of the United States Fish and Wildlife Service to list the polar bear as a threatened species.

was read the first time and was before the Senate on final passage.

Senator Huggins offered Amendment No. 1:

Page 2, lines 18-19:

Delete "governors of each of the other 49 states; the presiding officers of the legislatures of each of the other 49 states"

Page 2, line 18, following "this resolution shall be sent to the":

Insert "Honorable George W. Bush, President of the United States; the Honorable H. Dale Hall, Director, United States Fish and Wildlife Service"

Senator Huggins moved for the adoption of Amendment No. 1. Senator Dyson objected, then withdrew his objection. There being no further objection, Amendment No. 1 was adopted.

The question being: "Shall SENATE RESOLUTION NO. 6 am Encouraging all states to oppose the decision of the United States Fish and Wildlife Service to list the polar bear as a threatened species, pass the Senate?" The roll was taken with the following result:

SR 6 am Final Passage

YEAS: 12 NAYS: 5 EXCUSED: 2 ABSENT: 1

Yeas: Bunde, Cowdery, Davis, Dyson, Green, Huggins, Kookesh,

McGuire, Stedman, Stevens, Wagoner, Wilken

Nays: Ellis, Elton, French, Thomas, Wielechowski

Excused: Hoffman, Therriault

Absent: Olson

and so, SENATE RESOLUTION NO. 6 am passed the Senate and was referred to the Secretary for engrossment and enrollment.

Introduction and Reference of Senate Bills

SB 148

SENATE BILL NO. 148 BY SENATOR THERRIAULT, entitled:

"An Act relating to motor vehicle registration plates and fees for Purple Heart recipients and Medal of Honor recipients; and providing for an effective date."

was read the first time and referred to the State Affairs and Finance Committees.

SB 149

SENATE BILL NO. 149 BY SENATOR THERRIAULT, entitled:

"An Act relating to redistribution of used eyeglasses."

was read the first time and referred to the Labor and Commerce and Health, Education and Social Services Committees.

SB 150

SENATE BILL NO. 150 BY SENATOR DAVIS, entitled:

"An Act relating to an aggravating factor at sentencing for crimes committed at certain shelters and facilities."

was read the first time and referred to the Health, Education and Social Services and Judiciary Committees.

Consideration of the Calendar

Citations

Honoring – Syun-Ichi Akasofu Representative(s) Kawasaki

Senator(s) Wilken, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski

Honoring - Dianne E. Olsen

Representative(s) Coghill

Senator(s) Therriault, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Thomas, Wagoner, Wielechowski, Wilken

Honoring - Ben Hotch

Representative(s) Thomas

Senator(s) Kookesh, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

In Memoriam – Vivian Erwin Renshaw

Representative(s) Doll

Senator(s) Elton, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

In Memoriam – Paul "Steve" McCarthy

Senator(s) Bunde, Green, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski, Wilken

Senator Stevens moved and asked unanimous consent that the citations be adopted. Without objection, the citations were adopted and referred to the Secretary for transmittal.

Senator Stevens moved and asked unanimous consent that the following citation be made a special order of business. Without objection, it was so ordered.

Special Order of Business

In Memoriam – Bertram "Hap" Ryder Representative(s) Kawasaki Senator(s) Wilken, Green, Bunde, Cowdery, Davis, Dyson, Ellis, Elton, Hoffman, Huggins, Kookesh, McGuire, Olson, Stedman, Stevens, Therriault, Thomas, Wagoner, Wielechowski

Senator Stevens moved and asked unanimous consent that the citation be adopted. Without objection, the citation was adopted and referred to the Secretary for transmittal.

Unfinished Business

Senators Ellis, French moved and asked unanimous consent to be excused from a call of the Senate on April 2 to morning plane time. Without objection, Senators Ellis, French were excused.

President Green made the following appointments:

Pacific NorthWest Economic Region (PNWER)

Senator McGuire, Majority Delegate Senator Dyson, Delegate Senator Huggins, Alternate

Announcements

Announcements are at the end of the journal.

Engrossment and Enrollment

SR 6

SENATE RESOLUTION NO. 6 am Encouraging all states to oppose the decision of the United States Fish and Wildlife Service to list the polar bear as a threatened species, was engrossed and enrolled, signed by the President and Secretary and the engrossed and enrolled copies transmitted to the Office of the Governor at 3:46 p.m., March 30, 2007.

Adjournment

Senator Stevens moved and asked unanimous consent that the Senate stand in adjournment until 11:00 a.m., April 2, 2007. Without objection, the Senate adjourned at 10:47 a.m.

Liz Clark Assistant Secretary of the Senate

Announcements

Americans with Disabilities Act Notice - Persons with disabilities who require special accommodation or alternative communication formats to access committee meetings may contact the appropriate committee office or the Legislative Information Office in their community. Reasonable advance notice is needed to accommodate the request. For further information, call the ADA Coordinator at 465-3854 Voice/465-4980 TDD.

STANDING COMMITTEES

+ indicates teleconference

= indicates bill previously heard/scheduled

COMMUNITY & REGIONAL AFFAIRS

Apr 03 + SB 1	Tuesday INCREASE AMT OF BASE STUD Bills Previously Heard/Scheduled	Beltz 211 ENT ALLOCATION	3:30 PM ON
Apr 05 + SB 136	Thursday MEETING CANCELED MUNICIPAL ROAD SERVICE AR Bills Previously Heard/Scheduled	Beltz 211	3:30 PM
Apr 10 += SB 136	Tuesday MUNICIPAL ROAD SERVICE AR Bills Previously Heard/Scheduled	Beltz 211 REAS	3:30 PM
Apr 12 += SB 3	Thursday COMMUNITY DIVIDEND PROGI Bills Previously Heard/Scheduled		3:30 PM

FINANCE

Ma	r 30	Friday	Senate Finance 532	9:00 AM	
		MEETING CANCELED			
+		Bills Previously Heard/Scheduled			
Apı	r 02	Monday	Senate Finance 532	9:00 AM	
Ap 1		•	Senate Finance 532 Y VEHICLE REGISTRATI		
Ap r + +		•	Y VEHICLE REGISTRATI		

FINANCE (continued)

Apr 03 + SB 62 +	Tuesday TASK FORCE ON HEA Bills Previously Heard/S	Senate Finance 532 ALTH CARE INFECTIONS cheduled	9:00 AM
Apr 04 + HB 95 + HB 96		Only>	9:00 AM
Apr 05	Thursday No Meeting Scheduled	Senate Finance 532	9:00 AM
Apr 06	Friday No Meeting Scheduled	Senate Finance 532	9:00 AM
Apr 07	Saturday No Meeting Scheduled	Senate Finance 532	9:00 AM
Apr 08	Sunday No Meeting Scheduled	Senate Finance 532	9:00 AM
Apr 09	Monday No Meeting Scheduled	Senate Finance 532	9:00 AM
Apr 10 += HB 95 += HB 96 +		ule Trangell, Homer, & Cordova	2:30 PM
Apr 11 += SB 125	Wednesday PERS CONTRIBUTION Bills Previously Heard/S	Senate Finance 532 NS; UNFUNDED LIABILITY cheduled	9:00 AM

FINANCE (continued)

+= HB 95	Wednesday APPROP: OPERATING APPROP: MENTAL HEA Public Testimony Schedu 1:00 - 2:30 pm: Bethel, K Nome, Delta Junction, Of 2:30 - 4:00 pm: Anchorag 5:00 - 6:30 pm: Kenai, Va Ketchikan, Seward, Mat-S	BUDGET/LOANS/FUNDS ALTH BUDGET le otzebue, Barrow, f-Nets je aldez, Kodiak,	1:00 PM
Apr 12 += HB 95 += HB 96 +	APPROP: OPERATING		9:00 AM
Apr 12 += HB 95 += HB 96		Senate Finance 532 BUDGET/LOANS/FUNDS ALTH BUDGET	5:00 PM
Apr 13 += HB 95 += HB 96 +	APPROP: OPERATING		9:00 AM
Apr 13 += HB 95 += HB 96	APPROP: OPERATING	Senate Finance 532 BUDGET/LOANS/FUNDS ALTH BUDGET	5:00 PM
	APPROP: OPERATING		9:00 AM

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HEALTH, EDUCATION & SOCIAL SERVICES

Mar 30	Friday No Meeting Scheduled	Butrovich 205	1:30 PM
Apr 02	Monday No Meeting Scheduled	Butrovich 205	1:30 PM
Apr 04 + SB 28	Wednesday LIMIT OVERTIME FOR RE	Butrovich 205 GISTERED NURSES	1:30 PM
Apr 06	Friday No Meeting Scheduled	Butrovich 205	1:30 PM

JUDICIARY

	Monday STATUTE OF LIMITATION F ALASKA NATIVE ART IDEN Bills Previously Heard/Schedule	TIFICATION SEALS	
-	Wednesday NATURAL GAS PIPELINE PR <pending referral=""> Testimony <invitation only=""> Bills Previously Heard/Schedule</invitation></pending>		1:30 PM
Apr 05	Thursday No Meeting Scheduled	Butrovich 205	3:30 PM
Apr 09	Monday No Meeting Scheduled	Beltz 211	1:30 PM
-	Wednesday NATURAL GAS PIPELINE PR <pending referral=""></pending>	Beltz 211 ROJECT	1:30 PM
•	Wednesday NATURAL GAS PIPELINE PR <pending referral=""></pending>	Butrovich 205 ROJECT	5:30 PM

JUDICIARY (continued)

•	Thursday NATURAL GAS PIPELINE I <pending referral=""></pending>	Butrovich 205 PROJECT	3:30 PM
Apr 13 += SB 104	Friday NATURAL GAS PIPELINE I <pending referral=""></pending>	Beltz 211 PROJECT	1:30 PM
Apr 13 += SB 104	Friday NATURAL GAS PIPELINE I <pending referral=""></pending>	Butrovich 205 PROJECT	5:30 PM
Apr 14 += SB 104	Saturday NATURAL GAS PIPELINE I <pending referral=""></pending>	Butrovich 205 PROJECT	10:00 AM
Apr 15 += SB 104	Sunday NATURAL GAS PIPELINE I <pending referral=""></pending>	Butrovich 205 PROJECT	11:00 AM

LABOR & COMMERCE

Apı	r 03	Tuesday	Beltz 211	1:30 PM
+	SB 124	ALASKA WORKFORCE INVEST	MENT BD ALLO	CATION
+	SB 115	GIFT CARDS		
+	HB 34	SALES BY WINERY LICENSEE		
		Bills Previously Heard/Scheduled		
+=	SB 116	UNIFORM MONEY SERVICES A	кСТ	
Apı	r 05	Thursday No Meeting Scheduled	Beltz 211	1:30 PM

RESOURCES

Mar 30	Friday	Butrovich 205	1:30 PM
	Teleconference <listen c<="" td=""><th>Only></th><td></td></listen>	Only>	
+= SB 104	NATURAL GAS PIPELIN	E PROJECT	
+	Bills Previously Heard/Sche	eduled	

RESOURCES (continued)

Mar 31	Saturday Time Change	Butrovich 205	12:00 PM
+= SB 104 +	Teleconference <listen on<br="">NATURAL GAS PIPELINE Bills Previously Heard/Sched</listen>	PROJECT	
Apr 01	Sunday	Butrovich 205	11:00 AM
+= SB 104 +	Teleconference <listen on<br="">NATURAL GAS PIPELINE Bills Previously Heard/Sched</listen>	PROJECT	
Apr 02	•	Butrovich 205	3:30 PM
+= SB 104	NATURAL GAS PIPELINE Listen Only	PROJECT	
+	Bills Previously Heard/Sched	uled	
Apr 04 +	Wednesday Governor's Appointment - Co Hearing: Denby Lloyd - Dept of Fish &	t Game	3:30 PM
+ SB 103	Teleconference <listen on<br="">LAND TRANSFERS ALASE</listen>	KA RR & EKLUTNA	
	TEN	av Re Set	
+	Testimony <time limit="" ma<br="">Bills Previously Heard/Sched</time>		
+ Apr 06			3:30 PM

Apr 02	Monday	Beltz 211	12:45 PM
+ SR 5	Day and Time Change ORDER OF EASTERN STAR COM Bills Previously Heard/Scheduled	MMUNICATION	WEEK
Apr 03	Tuesday No Meeting Scheduled	Beltz 211	9:00 AM
Apr 05	Thursday No Meeting Scheduled	Beltz 211	9:00 AM

TRANSPORTATION

Apr 03	Tuesday	Butrovich 205	1:30 PM

-- MEETING CANCELED --Bills Previously Heard/Scheduled

Apr 05 Thursday Butrovich 205 1:30 PM

-- MEETING CANCELED --Bills Previously Heard/Scheduled

FINANCE SUBCOMMITTEES

ADMINISTRATION

Apr 02 Monday Senate Finance 532 3:00 PM

Budget Close-out

COMMERCE, COMMUNITY & ECONOMIC DEV

Apr 03 Tuesday Senate Finance 532 1:00 PM

Close-out

EDUCATION & EARLY DEVELOPMENT

Mar 30 Friday Butrovich 205 12:00 PM

Close-out

FISH & GAME

Apr 03 Tuesday Senate Finance 532 8:00 AM

Close-out

GOVERNOR

Apr 02 Monday Senate Finance 532 5:00 PM

Governor's Operating Budget Subcommittee

Hearing and Close-out

FINANCE SUBCOMMITTEES (continued)

HEALTH & SOCIAL SERVICES

Apr 05 Thursday Fahrenkamp 203 8:00 AM
-- MEETING CANCELED --

Department Budget Close-out

LABOR & WORKFORCE DEVELOPMENT

Apr 03 Tuesday Senate Finance 532 12:00 PM

Close-out

LAW

Apr 02 Monday Fahrenkamp 203 3:00 PM

Close-out

LEGISLATURE

Apr 02 Monday Senate Finance 532 5:30 PM

Legislature Operating Budget Subcommittee Hearing and Close-out

nearing and Close-out

NATURAL RESOURCES

Apr 02 Monday Fahrenkamp 203 12:00 PM

Close-out

PUBLIC SAFETY

Apr 02 Monday Beltz 211 8:00 AM

-- MEETING CANCELED -- Department Budget Close-out

Apr 03 Tuesday Beltz 211 8:00 AM

+ Department Budget Close-out

FINANCE SUBCOMMITTEES (continued)

REVENUE

Apr 02 Monday Fahrenkamp 203 5:00 PM

Close-out

UNIVERSITY OF ALASKA

Apr 03 Tuesday Senate Finance 532 7:30 AM

Close-out

SPECIAL COMMITTEES

SPECIAL COMMITTEE ON EDUCATION

Mar 30 Friday Butrovich 205 8:00 AM

College Affordability

Bills Previously Heard/Scheduled

Apr 02 Monday Butrovich 205 8:00 AM

Vocational Transitional Skills Program

Roll-Out

Presentation by Commissioner Sampson

JOINT COMMITTEES

LEGISLATIVE BUDGET & AUDIT

Apr 03 Tuesday House Finance 519 7:30 AM

Contracts & Other Committee Business

SELECT COMMITTEE ON LEGISLATIVE ETHICS

Apr 17 Tuesday Butrovich 205 10:00 AM

-- Teleconference --

Full Committee: Open Session

Election of Committee Chairs, Public Comment,

Chair/Staff Report, Budget, Legislation

JOINT COMMITTEES (continued)

SELECT COMMITTEE ON LEGISLATIVE ETHICS (continued)

Apr 17 Tuesday Butrovich 205 3:00 PM

Senate Subcommittee: Executive Session

Public Comment Executive Session Public Session

OTHER MEETINGS

JOINT LEGISLATIVE HEALTH CAUCUS

Apr 18 Wednesday Butrovich 205 12:00 PM

"Filling the Need: Other Forms of Health

Care"

May 02 Wednesday Butrovich 205 12:00 PM

"Week of the Uninsured: Alaska's

Workforce"